

CV 14-7349

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**VII. VERDICT SHEET**

Your verdict in this case will be your answers to the following questions. Read the questions carefully. Your answers to the questions must be unanimous.

**I. Unlawful Entry**

Question 1:

Did you find that a defendant unlawfully entered plaintiff's apartment?

Pagiel Clark:	YES: _____	NO: <u>X</u>
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Paul Montefusco:	YES: _____	NO: <u>X</u>
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Gerard Bouwmans:	YES: _____	NO: <u>X</u>
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Phillip Romano:	YES: _____	NO: <u>X</u>
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**If you answered "Yes" as to any defendant, please proceed to Question 2.**

**If you answered "No" as to all defendants, please proceed to Question 3.**

Question 2(a):

What is the total dollar amount of compensatory damages, if any, that plaintiff is entitled to on his unlawful entry claim? \$ \_\_\_\_\_

Question 2(b):

What amount of nominal damages, if any, not to exceed one dollar, do you award plaintiff on his unlawful entry claim? \$ \_\_\_\_\_

Question 2(c):

What is the total dollar amount of punitive damages, if any, that plaintiff is entitled to on his unlawful entry claim? \$ \_\_\_\_\_

**II. False Arrest**

Question 3:

Did you find that the plaintiff was falsely arrested by any of the following?

Pagiel Clark:	YES: _____	NO: <u>X</u>
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Paul Montefusco: YES: \_\_\_\_\_ NO: X

Gerard Bouwmans: YES: \_\_\_\_\_ NO: X

Phillip Romano: YES: \_\_\_\_\_ NO: X

**If you answered "Yes" as to any defendant, please proceed to Question 4.**

**If you answered "No" as to all defendants, please proceed to Question 5.**

Question 4(a):

What is the total dollar amount of compensatory damages, if any, that plaintiff is entitled to on his false arrest claim? \$ \_\_\_\_\_

Question 4(b):

What is the total dollar amount of punitive damages, if any, that plaintiff is entitled to on his false arrest claim? \$ \_\_\_\_\_

### **III. Excessive Force**

Question 5:

Did you find that a defendant used excessive force against plaintiff?

Pagiel Clark: YES: \_\_\_\_\_ NO: X

Paul Montefusco: YES: \_\_\_\_\_ NO: X

Gerard Bouwmans: YES: \_\_\_\_\_ NO: X

Phillip Romano: YES: \_\_\_\_\_ NO: X

**If you answered "Yes" as to any defendant, please proceed to Question 6.**

**If you answered "No" as to all defendants, please proceed to Question 7.**

Question 6(a):

What is the total dollar amount of compensatory damages, if any, that plaintiff is entitled to on his excessive force claim? \$ \_\_\_\_\_

Question 6(b):

What amount of nominal damages, if any, not to exceed one dollar, do you award plaintiff on his excessive force claim? \$ \_\_\_\_\_

Question 6(c):

What is the total dollar amount of punitive damages, if any, that plaintiff is entitled to on his excessive force claim? \$ \_\_\_\_\_

#### **IV. Denial of the Right to a Fair Trial**

Question 7:

Did you find that defendant Pagiel Clark denied plaintiff's right to a fair trial?

YES \_\_\_\_\_ NO ✓

**If you answered "Yes," please proceed to Question 8.**

**If you answered "No," please proceed to Question 9.**

Question 8(a):

What is the total dollar amount of compensatory damages, if any, that plaintiff is entitled to on his denial of a right to a fair trial claim? \$ \_\_\_\_\_

Question 8(b):

What amount of nominal damages, if any, not to exceed one dollar, do you award plaintiff on his denial of a right to a fair trial claim? \$ \_\_\_\_\_

Question 8(c):

What is the total dollar amount of punitive damages, if any, that plaintiff is entitled to on his denial of a right to a fair trial claim? \$ \_\_\_\_\_

#### **V. Failure to Intervene**

Question 9:

Did you find that a defendant had a realistic opportunity, but failed to intervene to prevent other officers from subjecting plaintiff to the loss of a constitutional right?

Pagiel Clark: YES: \_\_\_\_\_ NO: ✓

Paul Montefusco: YES: \_\_\_\_\_ NO: ✓

Gerard Bouwmans: YES: \_\_\_\_\_ NO: ✓

Phillip Romano:

YES: \_\_\_\_\_

NO: X

**If you answered "Yes" as to any defendant, please proceed to Question 10.**

**If you answered "No" as to all defendants, your deliberations are finished.**

Question 10(a):

What is the total dollar amount of compensatory damages, if any, that plaintiff is entitled to on his on his failure to intervene claim? \$ \_\_\_\_\_

Question 10(b):

What amount of nominal damages, if any, not to exceed one dollar, do you award plaintiff on his failure to intervene claim? \$ \_\_\_\_\_

Question 10(c):

What is the total dollar amount of punitive damages, if any, that plaintiff is entitled to on his failure to intervene claim? \$ \_\_\_\_\_

**WHEN YOU HAVE COMPLETED THE ABOVE VERDICT SHEET, PLEASE DATE AND SIGN THE FORM AND RETURN THIS VERDICT SHEET TO THE MARSHAL.**

SIGNATURE OF THE FOREPERSON

*Laurie Anne O'Shea*

DATED: January 30, 2019